

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No.1/2024

Kurdaram S/o Sanwarmal

-----Petitioner

Versus

State Of Rajasthan & Another

-----Respondents

For Petitioner(s)	:	Mr. Niraj Pal Singh Yadav
For Respondent(s)	:	Mr. N.S. Dhakar, PP Mr. Gaurav Gupta, Asst. GA

JUSTICE ANOOP KUMAR DHAND

Order

06/05/2026

1. A prayer has been made in the instant criminal misc. petition for issuing directions to the Investigating Agency for conducting fair and impartial investigation in a criminal complaint filed by the complainant-petitioner.
2. Learned counsel for the complainant-petitioner submits that the deceased died under unnatural circumstances for which a Merg Report No.8/2018 was registered under Section 174 Cr.P.C. with Police Station Udhyog Nagar, Sikar. Learned counsel submits that apart from above, the complaint was also filed by the petitioner before the court of Chief Judicial Magistrate, Sikar. Learned Chief Judicial Magistrate vide order dated 30.05.2023 directed the SHO, Police Station Udhyog Nagar, Sikar to get the FSL report with regard to the disputed and admitted signatures of the deceased. Learned counsel further submits that on 14.08.2022, the SHO Police Station Udhyog Nagar, Sikar issued a notice under Section 91 Cr.P.C. to the petitioner asking him to

provide certain handwritten documents and signatures of the deceased.

In pursuance of the aforesaid notice, four documents i.e. two diaries, one declaration letter and a copy of registry were supplied to the Investigating Officer for which a receipt was also given on 17.08.2022, but inspite of passing of considerable time, till date the investigation has not been concluded.

3. Learned Public Prosecutor has submitted a factual report furnished by the SHO, Police Station Udhog Nagar, Sikar, wherein this fact has been admitted by the Investigating Officer about receipt of the aforesaid documents. But inspite of receipt of the aforesaid documents, again the Investigating Officer is insisting the petitioner to provide more documents of Government offices including applications submitted before the bank for opening the bank account and withdrawal slips etc.

4. It is quite shocking and surprising on the part of the Investigating Officer to ask and insist the petitioner to provide these documents, which are not in his possession. The desired documents are lying in the government record. Instead of asking the petitioner to provide these documents, the Investigating Officer get the same from the government offices and bank by exercising the powers given to him under Section 91 Cr.P.C.

5. Learned Public Prosecutor is directed to send the copy of these documents to the Investigating Officer and instruct him to do the needful exercise and send these desired documents to the FSL for getting analysis of the disputed signatures of the deceased.

6. Apart from above, Office is also directed to send a copy of all these documents to the Superintendent of Police, Sikar and SHO, Police Station Udhyog Nagar, Sikar for analysis of the same.

7. List this case after four weeks.

(ANOOP KUMAR DHAND),J

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